

A regular meeting of the Troy Building Code Board of Appeals was held Wednesday, January 7, 2004 at City Hall in the Lower Level Conference Room. William Nelson, Vice-Chairman, called the meeting to order at 8:30 A.M.

PRESENT: Rick Kessler
Bill Nelson
Tim Richnak
Frank Zuazo

ABSENT: Ted Dziurman

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Ginny Norvell, Housing & Zoning Inspector Supervisor
Pam Pasternak, Recording Secretary

ITEM #1 – APPROVAL OF MINUTES – MEETING OF WEDNESDAY, DECEMBER 3, 2003

Motion by Kessler
Supported by Richnak

MOVED, to approve the minutes of the meeting of Wednesday, December 3, 2003 as written.

Yeas: All – 4

ITEM #2 – VARIANCE REQUEST. JOSEPH CRAIG, THE ESTATES AT CAMBRIDGE SUBDIVISION, for relief of Chapter 83, to construct an entrance wall at the Estates at Cambridge Subdivision.

Mr. Stimac explained that the petitioner is requesting relief to construct an entrance wall. The site plan submitted indicates a masonry wall at the entrance of the new Estates at Cambridge Subdivision. This wall, which varies in height from 6' to 11', is located in the required front setbacks along Beach Road and Ravenwood Court. Chapter 83 limits the height of fences and masonry walls to 30" in front of the building setback lines.

This item first appeared at the meeting of December 3, 2003 and was postponed to allow the petitioner the opportunity to present the Board with a landscape plan, which would demonstrate how this wall would be buffered; and to allow the petitioner to determine if this wall could be repositioned.

Mr. Stimac further explained that Mr. Craig had submitted revised plans, which reduced the maximum height of the pillars from 11' to 8' and the secondary height of the wrought iron from 6' to 5'-8". Mr. Stimac said that the new plans also indicate that the fence has been pushed back from the property line, and a landscape plan was submitted and partially approved by Ron Hynd of the Parks and Recreation Department. Mr. Stimac

ITEM #2 – con't.

explained that Mr. Hynd does not have any reservations regarding the landscaping in the area of this wall. Furthermore, due to the fact that there are existing trees and utility lines in this area the sidewalk has been moved out approximately 8' rather than the standard 1' setback from the property line.

Mr. Craig was present and stated that he hoped he had addressed the concerns of this Board.

Mr. Richnak talked about the concerns of Mr. Pierce, a resident, who appeared at the last meeting and who had stated that he was concerned because he did not like the look of a "walled community". Mr. Kessler questioned the landscaping in front of the wall, and Mr. Craig stated that they are putting in boxwood and yew hedges in front of the wall, which would help to screen this area.

Mr. Stimac asked if Mr. Craig recalled the depth of the landscape easement and Mr. Craig stated that it was 15'.

Mr. Zuazo asked how much of the wall would be visible from the street and Mr. Craig said that once the shrubbery matured, he thought approximately 3' of the wrought iron fence would be visible.

Mr. Richnak asked how many pillars would be put in and Mr. Craig indicated that there were six (6). Mr. Nelson asked where the signage would be located, and Mr. Craig stated that it would be centered on the 23' long wrought iron portion of the fence.

Mr. Kessler had some questions regarding the landscape plan approval and Mr. Stimac explained that Mr. Hynd had some issues with the overall plan; however, did not have a problem with the landscaping around the entrance wall.

Mr. Kessler then stated that he thought that the petitioner had presented a nice plan, which will help to balance out the street and felt that the additional landscaping would address the concerns of Mr. Pierce.

Motion by Kessler
Supported by Richnak

MOVED, to grant Joseph Craig, The Estates at Cambridge Subdivision, relief of Chapter 83, to construct an entrance wall at the Estates at Cambridge Subdivision.

- Wall would be a setback a minimum of 4' from the property line.
- Variance would not be contrary to public interest.
- Subject to the Parks and Recreation Department giving final landscape approval.

Yeas: All – 4

ITEM #2 – con't.**MOTION TO GRANT VARIANCE CARRIED**

ITEM #3 – VARIANCE REQUEST. HEILEMAN SIGNS, 1696 MAXWELL, for relief of Chapter 78 to maintain a 31 square foot wall sign installed without the required permit.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to maintain a 31 square foot wall sign installed without the required permit. Section 9.02.05, D of Chapter 78 limits the size of a secondary wall sign to 20 square feet.

This item first appeared at the meeting of December 3, 2003 and was postponed to allow the petitioner the opportunity to obtain an authorization letter from the owner of the building; and, to allow the petitioner to inform the owner of the building that one of the potential conditions of the variance would limit the size of a ground sign to 36 square feet. The petitioner gave a copy of a faxed letter from the owner of the property indicating that if AKZO Nobel were to vacate the premises all signage would be removed and any restrictions placed by the granting of this variance would also be removed.

Mr. Chodkiewicz was present and stated that he had explained this request to the owner of the building and the owner stated that he did not want any type of ground sign put in at all. Mr. Chodkiewicz also stated that if their company would vacate this building, they would take all signage down.

Mr. Richnak asked what would happen if this variance was granted and then the owner wanted to come in and put in a ground sign. Mr. Kessler stated that he thought the owner would do that only in the event that this tenant would vacate the building. Mr. Stimac explained that this property would allow for other ground signs and that based upon the suggested variance condition, if the owner were to put out a "for lease" sign it would be 36 square feet.

Motion by Kessler

Supported by Richnak

MOVED, to grant Heileman Signs, 1696 Maxwell, relief of Chapter 78 to maintain a 31 square foot wall sign installed without the required permit.

- Any additional ground sign would be limited to 36 square feet.
- Petitioner will notify the owner of the building of restrictions.

Yeas: All - 4

MOTION TO GRANT VARIANCE CARRIED

The Building Code Board of Appeals meeting adjourned at 9:00 A.M.



William Nelson, Vice-Chairman



Pam Pasternak, Recording Secretary